

E-Filed 12/15/06

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ARTHUR G. MAIONCHI, et al.,
Plaintiffs,
v.
SAFETY-KLEEN SERVICES, INC., et al.,
Defendants.

Case Number C 03-647 JF (PVT)

ORDER¹ (1) DENYING MOTION
FOR LEAVE TO FILE MOTION FOR
RECONSIDERATION; AND (2)
REQUESTING BRIEFING ON
MOTION FOR CERTIFICATION FOR
INTERLOCUTORY APPEAL

[re: doc. no. 79]

Defendant's motion for leave to file a motion for reconsideration is DENIED. The Court considered all of Defendant's arguments when it made its ruling regarding the scope of the appellate court's remand.

Because as the Court noted in its ruling there are certain ambiguities in the appellate court's order, the Court is of the opinion that an interlocutory appeal may be appropriate so that the appellate court itself may clarify the scope of its remand. Plaintiffs shall file a brief addressing Defendant's request for certification for interlocutory appeal on or before December

¹ This disposition is not designated for publication and may not be cited.

29, 2006. The matter thereafter will be taken under submission without oral argument.

IT IS SO ORDERED.

DATED: 12/15/06


JEREMY FOGEL
United States District Judge

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